

INFORMATION DISCLOSURE STATEMENT

Applicant : Diab et al.
App. No. : 10/700,324
Filed : November 3, 2003
For : METHOD AND APPARATUS FOR
DEMODULATING SIGNALS IN A PULSE
OXIMETRY SYSTEM
Examiner : Unknown
Group Art Unit : 3736

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing twenty-eight references. Copies of disclosed U.S. patents and/or publications are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of other references, if listed, are enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Aug 9, 2004

By: Lee W. Henderson

Lee W. Henderson, Ph.D.
Registration No. 41,830
Attorney of Record
Customer No. 20,995
(949) 760-0404

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. MASIMO.55CP1DV2	APPLICATION NO. 10/700,324
	APPLICANT Diab et al.	
	FILING DATE November 3, 2003	GROUP 3736

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	RE 35,122	12/19/95	Corenman et al.			
	2	3,638,640	02/01/72	Shaw			
	3	3,704,706	12/05/72	Herczfeld et al.			
	4	4,407,290	10/04/83	Wilber			
	5	4,773,422	09/27/88	Isaacson et al.			
	6	4,785,463	11/15/88	Janc et al.			
	7	4,824,242	04/25/89	Frick et al.			
	8	4,848,901	07/18/89	Hood Jr.			
	9	4,863,265	09/05/89	Flower et al.			
	10	4,867,571	09/19/89	Frick et al.			
	11	4,948,248	08/14/90	Lehman			
	12	5,276,705	01/04/94	Higgins			
	13	5,349,952	09/27/94	McCarthy et al.			
	14	5,521,938	05/28/96	Stewart et al.			
	15	5,555,882	09/17/96	Richardson et al.			
	16	5,579,341	11/26/96	Smith et al.			
	17	5,640,416	06/17/97	Chalmers			
	18	5,919,134	07/06/99	Diab			
	19	5,940,346	08/17/99	Sadowsky et al.			
	20	6,229,856	05/08/01	Diab et al.			
	21	6,643,530	11/04/03	Diab et al.			

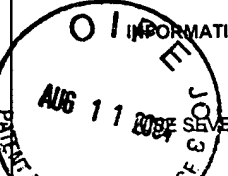
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	22	DE 3328862 A1	02/28/85	Deutschland				
	23	EP 0 335 357	03/29/89	Europe				
	24	EP 0 761 159 A2	08/06/96	Europe				

EXAMINER

DATE CONSIDERED

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. MASIMO.55CP1DV2	APPLICATION NO. 10/700,324
 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (ATTACH SEVERAL SHEETS IF NECESSARY)		APPLICANT Diab et al.	
		FILING DATE November 3, 2003	GROUP 3736

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	25	JP 2002-51129	04/16/02	Japan				
	26	WO 94/09698	09/24/93	PCT				
	27	WO 98/46125	04/10/98	PCT				
	28	WO 99/52420	10/21/99	PCT				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
	29							
	30							
	31							
	32							
	33							

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EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	



PATENT

Case Docket No. MASIMO.55CP1DV2

Date: August 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For : METHOD AND APPARATUS
FOR DEMODULATING
SIGNALS IN A PULSE
OXIMETRY SYSTEM
Examiner : Unknown
Group Art Unit : 3736

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 9, 2004

(Date)

Lee W. Henderson, Ph.D., Reg. No. 41,830

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 listing twenty-eight (28) references; seven (7) of which are enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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